

F I L E D
Clerk
District Court

MAY 31 2006

For The Northern Mariana Islands
By _____
(Deputy Clerk)

1 **JOE HILL**
2 HILL LAW OFFICES
3 P.O. Box 500917
4 Saipan, MP 96950
5 Phone: (670) 234-6806/7743
6 FAX: (670) 234-7753

7 Attorney for Plaintiff

8
9 **IN THE UNITED STATES DISTRICT COURT**
10 **FOR THE**
11 **COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS**

12 **MOHAMMED SAYED,**

13 **Plaintiff,**

14 **vs.**

15 **NATHANAEL BUSINESS**
16 **MARKETING CO., and SANG**
17 **KUK KIM, in his individual**
18 **capacity, SAIPAN LUCKY**
19 **CORPORATION, and CHO, JUNG**
20 **DUK, in his individual and official**
21 **capacity,**

22 **Defendants.**

23 **Civil Action No. 04-0024**

24 **NOTICE/THIRD MOTION FOR**
25 **ORDER IN AID OF**
26 **JUDGMENT/DECLARATION OF**
27 **JOE HILL/(PROPOSED) ORDER**
28 **IN AID OF JUDGMENT**

29 Date: July 20, 2006

30 Time: 9:00 a.m.

31 Judge: Hon. Alex R. Munson

32 **NOTICE OF MOTION**

33 PLEASE TAKE NOTICE that the undersigned will bring the attached motion for hearing
34 before the United States District Court for the Northern Mariana Islands at the Horiguchi
35 Building, Garapan Village, Island of Saipan, Commonwealth of the Northern Mariana
36 Islands on July 20, 2006 at 9:00 a.m.

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1 **MOTION**

2 NOW COMES Plaintiff Mohammed Sayed, by and through his attorney, Joe Hill, and
3 hereby moves this Court for an Order in Aid of Judgment in that on November 4, 2004,
4 the clerk of court entered default and default judgment, attached hereto as *Exhibit "1"*
5 against Defendants Saipan Lucky Corporation and Cho, Jung Duk, ordering said
6 defendants, jointly and severally, to pay Plaintiff the Judgment amounts as follows:

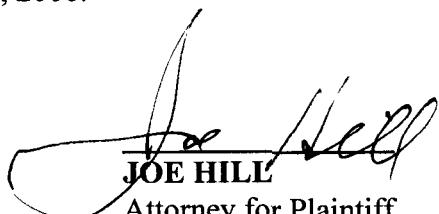
7 1. Unpaid overtime wages in the amount of \$3,489.93;
8 2. Prejudgment interest in the sum of \$331.64;
9 3. Liquidated damages in the sum of \$3,489.93; and
10 4. Attorney's fees and costs in the sum of \$6,035.50.

11 Plaintiff filed a Second Motion for Order in Aid of Judgment on January 07, 2005.

12 Defendants have and continue to fail to pay the Judgment.

13 Plaintiff, now moves for an Order in Aid of Judgment to examine Defendants
14 Saipan Lucky Corporation and Cho, Jung Duk's ability to pay and to determine the fastest
15 manner in which Defendants can pay the judgment amounts set forth in the Judgment
16 dated November 04, 2004.

17 Dated this 31 day of May, 2006.

18 
19 **JOE HILL**
20 Attorney for Plaintiff

JOE HILL

Attorney at Law

Hill Law Offices ~ Susupe
P.O. Box 917 ~ Saipan MP 96950 ~ (670) 234-6806/7743 ~ FAX: 234-7753 ~ email: joe.hill@saipan.com

**C O P Y of
Original Filed
on this date**

May - 4 2004

**Clerk
District Court
for The Northern Mariana Islands**

**IN THE UNITED STATES DISTRICT COURT
FOR THE
NORTHERN MARIANA ISLANDS**

MOHAMMED SAYED,

Plaintiff,

vs.

**NATHANAEL BUSINESS
MARKETING CO., and
SANG KUK KIM, in his
individual and official
capacity, SAIPAN LUCKY
CORPORATION, and CHO,
JUNG DUK, in his individual
and official capacity,**

Defendants.

Civil Action No. 04-0024

**ORDER ON ENTRY OF
DEFAULT AND DEFAULT
JUDGMENT**

After considering Plaintiff Mohammed Sayed's request for entry of default and for default judgment against Defendant Saipan Lucky Corporation and Cho, Jung Duk the affidavits, and other evidence on file, the record supports entry of default and default judgment. Therefore, the default and default judgment is entered against Defendants Saipan Lucky Corporation and Cho, Jung Duk, jointly and severally. Defendants shall pay to Plaintiff Mohammed Sayed the following:

EXHIBIT " 1 "

1. Unpaid overtime wages in the amount of \$3,489.93;
2. Prejudgment interest in the sum of \$ 331.64;
3. Liquidated damages in the sum of \$ 3,489.93; and
4. Reasonable attorney's fees and costs in the sum of \$ 6,035.50.

ENTERED this 4th day of November 2004.



Galo L. Perez
Clerk